PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1311

AN ACT to amend the Indiana Code concerning health and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 16-35-8 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

Chapter 8. Hearing Aid Assistance

- Sec. 1. As used in this chapter, "child" means a child enrolled in a public school, accredited nonpublic school, or nonaccredited nonpublic school in kindergarten through grade 12.
- Sec. 2. As used in this chapter, "fund" refers to the hearing aid fund established by section 3 of this chapter.
- Sec. 3. The hearing aid fund is established for the purpose of providing hearing aid assistance to eligible children through the hearing aid assistance program established by section 9 of this chanter.
 - Sec. 4. The fund shall be administered by the state department.
- Sec. 5. The fund consists of appropriations from the general assembly, gifts, bequests, and other sources of funding.
- Sec. 6. The expenses of administering the fund shall be paid from money in the fund.
- Sec. 7. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.
 - Sec. 8. (a) Money in the fund at the end of a state fiscal year does

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not revert to the state general fund.

- (b) There is annually appropriated to the state department from the fund an amount sufficient for the purposes of this chapter.
 - Sec. 9. (a) The hearing aid assistance program is established.
- (b) The following eligibility criteria apply for funding through the hearing aid assistance program:
 - (1) The hearing aid must be:
 - (A) prescribed for a child by a physician who is licensed under IC 25-22.5; and
 - (B) prescribed, fitted, and dispensed for the child by an audiologist who is licensed under IC 25-35.6.
 - (2) The child has not received funding from the fund for a hearing aid for the applicable ear during the previous three (3) years.
 - (3) Reimbursement is not available through any of the following or is not sufficient to pay the full amount required for a hearing aid:
 - (A) A policy of accident and sickness insurance (IC 27-8-5).
 - (B) A health maintenance organization contract (IC 27-13).
 - (C) The Medicaid program (IC 12-15).
 - (D) The children's health insurance program (IC 12-17.6).
 - (E) The federal Medicare program or any other federal assistance program.
- (c) The state department may use appropriate internal and external resources to administer the hearing aid assistance program in a cost effective manner.
- (d) External foundations and other organizations that provide hearing aid assistance may register with the state department to provide a centralized location from which hearing impaired individuals can obtain information regarding additional sources of hearing aid assistance.
- Sec. 10. (a) The parent or guardian of a child may at any time apply to the state department for funding through the hearing aid assistance program.
- (b) Upon receipt of an application made under subsection (a), if the state department determines that the child is eligible under section 9(b) of this chapter, the state department may pay from the fund any amount not reimbursed through a source described in section 9(b)(3) of this chapter, not to exceed one thousand five hundred dollars (\$1,500) per hearing aid.
- Sec. 11. A public or nonpublic school may identify eligible children and assist the parents or guardians of the eligible children

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in submitting applications to the state department under this chapter.

Sec. 12. The state department shall give funding priority to applications under this chapter for eligible children who are less than fourteen (14) years of age.

Sec. 13. (a) The state department may, if economically feasible, create a hearing aid refurbishing program through which hearing aids that are no longer used by eligible children and other individuals are collected and refurbished for the use of other individuals.

(b) The state department may enter into an agreement with another organization to implement this section.

Sec. 14. The state department may adopt rules under IC 4-22-2 to implement this chapter.

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Speaker of the House of Representatives	
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President of the Senate	
President Pro Tempore	0
Governor of the State of Indiana	p
Date: Time:	V

